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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/492,437	01/27/2000	Hatim Yousef Amro	AT9-99-483	9872

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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 09/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/492,437

Applicant(s)

AMRO ET AL.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on July 07, 2003..
2. Pending claims 1-28 are presented for further examination.

Response to Arguments

3. Applicant's arguments have been fully considered but they are not persuasive because of the following reasons: Beswick et al. U.S. Patent 6,480,580 reference discloses a plurality of computing devices in physical proximity with the hub, wherein each of the plurality of computing devices communicates with the hub via a wireless connection. The hub receives and retransmits requested documents between selected computing devices; however, Beswick reference fail to disclose each of the plurality of computing devices translates each requested document into a system independent language prior to transmitting the requested document to the hub, and each of the plurality of computing devices translates each received document from the hub. Meltzer et al U.S. Patent 6,226,675 reference disclose each of the plurality of computing devices translates each requested document into a system independent language (ex: xml to java) prior to transmitting the requested document to the hub (ex: Router), and each of the plurality of computing devices translates (ex: java to xml) each received document from the hub (router). It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Meltzer's teaching into Beswick's method to translates each requested document into a system independent language before sending and receiving from the hub (router), because by translating the document to the independent language, it will allow companies to exchange information and services using self-defining, machine-readable

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documents, such as XML based documents, that can be easily understood amongst the partners (Abstract; col. 2, lines 18-25).

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642F. 2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F. 2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Applicant obviously attacks references individually without taking into consideration based on the teaching of combinations of references as shown above.

5. In response to Applicant's argument that there is no suggestion to combine the references, the Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. *In re Nomiya*, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. *In re McLaughlin*, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. *In re Bozek*, 163 USPQ 545 (CCPA) 1969. In this case, the reason for combining reference Beswich with reference Meltzer in order to translates each requested document into a system independent language before sending and receiving from the hub (router), because by translating the document to the independent language, it will allow companies to exchange information and services using self-defining, machine-readable documents, such as XML based documents, that can be easily understood amongst the partners (Abstract; col. 2, lines 18-25).

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6. Therefore, the examiner asserts that the cited prior arts teach or suggest the subject matter broadly recited in independent claims 1,11,15,19,23,25, and 27. Claims 2-10,12-14,16-18,20-22,24,26, and 28 are rejected at least by virtue of their dependency on independent and by other reasons set forth in the previous office action [see Paper No. 8]. Accordingly, rejections for claims 1-32 are presented as below.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3,5-7, and 9-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Beswick et al. U.S. Patent 6,480,580 in view of Meltzer et al. U.S. Patent 6,226,675.

9. Referring to claims Referring to claims 1,11,15,19,23,25, and 27, Beswick Referring to claims Referring to claims 1,11,15,19,23,25, and 27, Beswick reference discloses a hub (102 of fig. 1); and a plurality of computing devices (104n of fig. 1) in physical proximity with the hub (fig. 1); wherein each of the plurality of computing devices communicates with the hub via a wireless connection (col. 3, lines 63 through col. 4, lines 5); the hub receives and retransmits requested documents between selected computing devices (col. 4, lines 25-34); however, Beswick reference fail to disclose each of the plurality of computing devices translates each requested document into a system independent language prior to transmitting the requested document to the hub, and each of the plurality of computing devices translates each received document from the hub.

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Meltzer reference disclose each of the plurality of computing devices translates each requested document into a system independent language (ex: xml to java) prior to transmitting the requested document to the hub (ex: Router) (fig. 12; and col. 78, lines 44-60); and each of the plurality of computing devices translates (ex: java to xml) each received document from the hub (router).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Meltzer's teaching into Beswick's method to translates each requested document into a system independent language before sending and receiving from the hub; because by translating the document to the independent language, it will be allowed companies exchange information and services using self-defining, machine-readable documents, such as XML based documents, that can be easily understood amongst the partners.

10. Referring to claims 2,3,13,14,17,18,21, and 22, Beswick's reference disclose the hub receives and retransmits requested documents between selected computing devices; however, Beswick fail to disclose the document is translated into the independent languages before transmitted to the hub, and the independent languages is Java and XML.

Meltzer reference discloses the system independent language is a Java based language, and an extensible markup language (fig. 4, 12; col. 3, lines 46-57; col. 5, lines 8-19; col. 23, lines 38-60; and col. 25, lines 66 through col. 26, lines 9).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Meltzer's teaching into Beswick's method to translates each requested document into a system independent language before sending and receiving from the hub; because by translating the document to the independent language, it will be allowed

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companies exchange information and services using self-defining, machine-readable documents, such as XML based documents, that can be easily understood amongst the partners.

11. Referring to claims 5-7, and 10, Beswick reference discloses at least one of the plurality of computing devices is a personal digital assistant, laptop computer, computing devices is portable (col. 1, lines 35-43, and col. 4, lines 25-34); and transmissions between each of the plurality of computing devices and the hub are radio frequency transmissions (fig. 1; transmitting from 104n and 102).

12. Referring to claims 9,12,16, 20,24,26, and 28, Beswick reference discloses transmissions between each of the plurality of computing devices and the hub are infrared transmissions (Fig. 1; ex. PDA connect to the wireless); the strength of the wireless communication signal is such that only devices in close proximity with each other may receive the signal, thus ensuring that only authorized recipients receive information conveyed via the wireless communication signal (fig. 1). It should be understand that when you use the infrared transmission rate is roughly the same transmission rates as traditional parallel ports. The only restrictions on their use is that the two devices must be within a few feet of each other and there must be a clear line of sight between them.

13. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Beswick and Meltzer in view of Sopko U.S. Patent 6,003,068.

Beswick reference discloses a wireless hub, and Meltzer reference disclose each of the plurality of computing devices translates each requested document into a system independent language prior to transmitting the requested document to the hub; however, Beswick and Meltzer fail to disclose the hub is portable.

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Sopko reference discloses the hub is portable (col. 2, lines 12-18).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Sopko's teaching into Beswick and Meltzer's method to use the portable hub, because it is not only small and lightweight it is also make it easier to carry from places to places.

14. Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Beswick and Meltzer in view of Koperda U.S. Patent 5,790,806.

Referring to claim 8, Beswick and Meltzer reference disclose the hub receives and retransmits requested documents between selected computing devices; however, Beswick and Meltzer reference fails to teach us that the transmissions between each of the plurality of computing devices and the hub are encrypted.

Koperda reference discloses transmissions between each of the plurality of computing devices and the hub are encrypted (col. 4, lines 37-39).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Koperda's teaching into Lou's method to add the encryption and decryption to the data, because we want to make the data more secure during the transmission.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beswick et al. U.S. Patent 6,462,616

Lindgren et al. U.S. Patent 6,411,632

Luo et al. U.S. Patent 6,216,158

Feder et al. U.S. Patent 6,512,754

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu (7AM-4:30PM) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen
Examiner
Art Unit 2143

September 11, 2003



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100